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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9894/2025 & CM APPL. 41282/2025**

SUNITA & ORS.

.....Petitioners

Through: Ms. Aastha Dhawan, Adv.

versus

TOWN VENDING COMMITTEE (NDMC) AND ANR

.....Respondents

Through: Mr. Sriharsha Peechara, Standing Counsel for NDMC with Ms. Harshita Gupta, Mr. Akhilesh Loya, Mr. Chinmay Singh and Mr. Soumil Ganguli, Advs

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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05.08.2025

1. Heard.
2. The petitioner has approached this Court seeking issuance of directions to the respondent/New Delhi Municipal Corporation ('*NDMC*') to include them in the survey as they were squatting at *Labour Camp, Humayun Road, Khan Market, New Delhi*, which was conducted by the Town Vending Committee ('*TVC*') under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 (*hereinafter referred as 'Scheme of 2019'*).
3. It is the case of the petitioners, that they have been vending on or before 2007 and, as on the date of *the Street Vendors (Protection of Livelihood and Regulations of Street Vending) Act, 2014*, they were very much in existence as vendors, which prompted them to participate in the



earlier survey.

4. According to petitioners, the photographs on record would depict that, at the place mentioned in the petition, they were in fact vending, and the copies of *challans* placed on record substantially establish their claim of either squatting or vending at the said place, as has been claimed in the petition.

5. In the aforesaid background, the contentions are that when survey was conducted, petitioners were driven out from the area, and they were not included in the survey, and as such, they are entitled for directions in view of the aforesaid evidence available in their favour.

6. As against the above, counsel appearing for respondent/NDMC has tried to establish from the *challans* that the same cannot be accepted as genuine, as according to him, each book contains about 15 receipts /*challans*, and from the very same book, a number of slips / *challans* have been issued in favour of petitioners, which speaks of *challans* not being issued by the respondent/NDMC.

7. Apart from above, the name of parties as are reflected in *challans* are claimed to be not matching with the claims made in the petition, having regard to the details of petitioners in the cause title.

8. Further contentions is that the photographs do not support the case of petitioners, as the photographs placed on record would depict that it's only for the purpose of collecting and creating evidence; the photographs were placed on record in support of the prayer.

9. We have considered the rival claims.

10. The fact remains that the petition involves a serious disputed question of facts, not only with regard to the identity of petitioners being unauthorised vendors operating since 2007 onwards, but also the



photographs cannot be said to support the case of petitioners, as rightly pointed out by the counsel for respondent.

11. Apart from above, the fact remains that a perusal of various *challans*/ receipts appears to be in different names than that from names which are reflected in the cause title of the petition, and as such, it is difficult to rely on these receipts to infer that the petitioners were squatting or vending at the relevant site.

12. In the aforesaid background and having regard to the reasons recorded hereinabove, we are of the view that no case for causing interference in extraordinary jurisdiction is made out,

13. The petition as such stands dismissed along with the pending application.

14. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

AUGUST 5, 2025/sm/tk